Case 08-28424 Doc 1 Filed 10/22/08 Entered 10/22/08 13:06:31 Desc Main Document Page 1 of 10

B1 (Official	Form 1)(1/0	08)				oarriorr		.go <u> </u>						
United States Bankruptcy Co Northern District of Illinois								ourt				Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Williams, Erick							Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):								All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-2953								Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)						
Street Address of Debtor (No. and Street, City, and State): 18 Lotus Chicago, IL								Street Address of Joint Debtor (No. and Street, City, and State):						
					г	ZIP Code	;						ZIP Code	
County of F	Residence or	of the Prin	cipal Place o	of Busines		60644	Coun	v of Reside	ence or of the	Principal Pl	ace of Busi	ness:		
Cook			•					•						
	Mailing Address of Debtor (if different from street address): P.O. Box 8073						Mailin	ng Address	of Joint Debt	tor (if differe	nt from stre	eet address):		
Cilicage	O, IL				_	ZIP Code	;						ZIP Code	
I agatian of	Duin aim al. A.	sasta of Day	siness Debto			60680								
	from street			I										
		Debtor				of Business	3	Chapter of Bankruptcy Code Under Which						
		rganization) one box)		П Неа	Checi Ith Care Bu	c one box)		the Petition is Filed (Check one box) ☐ Chapter 7						
■ Individu	ıal (includes	Ioint Dahte	ore)	Sing	gle Asset R	eal Estate as	s defined	☐ Chapt				etition for R		
	ibit D on pa		,		1 U.S.C. § road	101 (51B)		Chapter 11 of a Foreign Main Proceeding						
☐ Corpora	☐ Corporation (includes LLC and LLP)				kbroker			☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Chapter 13 ☐ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding						
Down and in					☐ Commodity Broker☐ Clearing Bank			Спарі	ici 13	-				
	f debtor is not				Other						e of Debts			
check this box and state type of entity below.)					Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organiz under Title 26 of the United St Code (the Internal Revenue Co			States "incurred by an individual primarily for				are primarily		
				und										
		Filing F	ee (Check o	ne box)				one box:		Chapter 11				
Full Fili	ing Fee attac	hed							a small busin			-	§ 101(51D). C. § 101(51D).	
Filing Fee to be paid in installments (applicable to individuals only). Must check						Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed								
is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.						\.	to insiders or affiliates) are less than \$2,190,000.							
	☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.							Check all applicable boxes: A plan is being filed with this petition.						
								Acceptan	ces of the pla creditors, in	n were solici accordance v	ited prepetit with 11 U.S	.C. § 1126(t	0).	
I	Administrat		iation l be available	e for distri	bution to u	nsecured cr	editors			THIS	S SPACE IS 1	FOR COURT	USE ONLY	
Debtor of there wi	estimates tha	t, after any ls available	exempt prope for distribut	perty is ex	cluded and	administrat		es paid,						
Estimated N	Number of C	reditors												
1- 49	50- 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000					
Estimated A	Assets				•	· ·		·	•	†				
\$0 to	\$50,001 to	\$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than					
\$50,000	\$100,000	\$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1 billion						
Estimated L	_	_			_	_				1				
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion						

B1 (Official Fo	Case 08-28424 Doc 1 Filed 10/22/08 Document	B Entered 10/22/08 13:00 Page 2 of 10	6:31 Desc Main				
	ry Petition	Name of Debtor(s):	Page 2				
(This page m	ust be completed and filed in every case)	Williams, Erick					
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	ditional sheet)				
Location Where Filed:		Case Number:	Date Filed:				
Location	Northern District of Illinois~Eastern Division	00 B 31791 - Ch. 7 Case Number:	10/30/00				
Where Filed:		Case Number:	Date Filed:				
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or		one, attach additional sheet)				
Name of Deb	tor:	Case Number:	Date Filed:				
District:		Relationship:	Judge:				
	Exhibit A		hibit B				
(To be come	pleted if debtor is required to file periodic reports (e.g.,	(To be completed if debtor is an individual					
forms 10K a	sund 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S. \$\frac{942(b)}{2}\$					
☐ Exhibit	A is attached and made a part of this petition.	1X Lune X	(delos)				
		Signature of Attorney for Debur(s) Melvin J. Kaplan, Bennett	(Date)				
		ibit C					
	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	pose a threat of imminent and identifiable	harm to public health or safety?				
No.	Exmon C is attached and made a part of this petition.						
	T1-1	ibit D					
(To be comp	leted by every individual debtor. If a joint petition is filed, each		separate Exhibit D.)				
Exhibit	D completed and signed by the debtor is attached and made a	part of this petition.					
If this is a joi	_						
LI EXMIDIT	☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.						
Information Regarding the Debtor - Venue (Check any applicable box)							
-	Debtor has been domiciled or has had a residence, principa	place of husiness or principal assets in this District for 100					
0	days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.						
	proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.						
	Certification by a Debtor Who Resides	as a Tenant of Residential Propert	y				
	(Check all appli Landlord has a judgment against the debtor for possession of	•	omplete the following.)				
	(Name of landlord that obtained judgment)	_					
		_					
	(Address of landlord)						
_	the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and						
_	Debtor has included in this petition the deposit with the cou after the filing of the petition.						
	Debtor certifies that he/she has served the Landlord with thi	s certification. (11 U.S.C. § 362(1)).					

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

United States Bankruptcy Court Northern District of Illinois

In re	Erick Williams	Case No.		
		Debtor(s)	Chapter	13

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.] ____

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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Official Form 1, Exh. D (10/06) - Cont.

Date:

□ 4. I am not requi	red to 1	eceive	a cree	dit counseling briefing because of: [Check the applicable
statement.] [Must be accord	mpanie	d by a	motio	on for determination by the court.]
☐ Incapacit	y. (Def	ined in	11 U	J.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency s	o as to	be inc	apable	e of realizing and making rational decisions with respect to
financial responsib	ilities.)	,	-	5
☐ Disability	7. (Defi	ned in	11 U.	.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reason	able ef	fort, to	parti	cipate in a credit counseling briefing in person, by telephone, or
through the Interne	t.);			o o i i i i i i i i i i i i i i i i i i
□ Active m	ilitary (duty in	a mil	litary combat zone.
☐ 5. The United Starequirement of 11 U.S.C. §	ates tru 109(h	stee or) does	bank not ap	ruptcy administrator has determined that the credit counseling oply in this district.
I certify under per	nalty of	f perju	ry th	at the information provided above is true and correct.
Signature of Dobton	6	7	• _	

or

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

B 201 (04/09/06)

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Attorney I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code. 80100101 Melvin J. Kaplan, Bennett A. Kahn, Rae Kaplan Printed Name of Attorney Address: 55 E. Jackson Blvd. Suite 650 Chicago, IL 60604 (312)294-8989 Certificate of Debtor I (We), the debtor(s), affirm that I (we) have received and read this notice. X Exil Well.
Signature of Debtor **Erick Williams** Printed Name(s) of Debtor(s) Case No. (if known) Signature of Joint Debtor (if any)

Bank of America* P.O. Box 15026 Wilmington, DE 19886-5726

Capital One Bank*
P.O. Box 30285
Salt Lake City, UT 84130-0285

Capital One Bank*
P.O. Box 30285
Salt Lake City, UT 84130-0285

Capital One/Atlantic Credit & Finan c/o John P. Frye, P.C. P.O. Box 13665
Roanoke, VA 24036-3665

Chase Bank*
Cardmember Services
P.O. Box 15298
Wilmington, DE 19850-5298

CitiMortgage 5280 Corporate Drive P.O. Box 9442 Frederick, MD 21703-8351

Forest Park National Bank & Trust 7348 W. Madison St. Forest Park, IL 60130-1553

Forest Park National Bank & Trust 7348 W. Madison St. Forest Park, IL 60130-1553

National City Mortgage 3232 Newmark Dr. Miamisburg, OH 45342

National City Mortgage 3232 Newmark Dr. Miamisburg, OH 45342

Peoples Gas*
ATTN: Bankruptcy Dept.
130 E. Randolph Drive, 14th Floor
Chicago, IL 60601

Peoples Gas*
ATTN: Bankruptcy Dept.
130 E. Randolph Drive, 14th Floor
Chicago, IL 60601

Peoples Gas*
ATTN: Bankruptcy Dept.
130 E. Randolph Drive, 14th Floor
Chicago, IL 60601

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ATTN: Bankruptcy Dept.
130 E. Randolph Drive, 14th Floor
Chicago, IL 60601

Peoples Gas*
ATTN: Bankruptcy Dept.
130 E. Randolph Drive, 14th Floor
Chicago, IL 60601

Shore Bank*
7054 S. Jeffery Blvd.
Chicago, IL 60649

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Target c/o Blatt Hasenmiller Leibsker & Mo 125 S. Wacker Drive, Ste. 400 Chicago, IL 60606-4440

US Bank Home Mortgage P.O. Box 790415 Saint Louis, MO 63179

US Bank Home Mortgage P.O. Box 20005 Owensboro, KY 42304-0005

Village of Bellwood (RMI/MCSI) 3200 Washington Bellwood, IL 60104

Washington Mutual Bank* P.O. Box 660487 Dallas, TX 75266-0487

Washington Mutual/Providian 4900 Johnson Drive Pleasanton, CA 94588